

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DRAKE L. BANKS, SR.,

Defendant.

4:19-CR-3116

ORDER

This matter is before the Court on the defendant's motion to extend the time for filing a direct appeal ([filing 171](#)). See [Fed. R. App. P. 4\(b\)\(4\)](#). For excusable neglect shown, see [Gibbons v. United States](#), 317 F.3d 852, 854-55 (8th Cir. 2003), the Court will grant the defendant's motion.

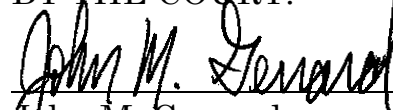
The judgment in this case ([filing 167](#)) was filed on June 25, 2021, so the initial deadline for filing a notice of appeal was July 9. See Rule 4(b)(1)(A); see also Rule 4(b)(6). Rule 4(b)(4) permits a 30-day extension from that deadline, which would be August 9. See *id.*; [Fed. R. App. P. 26\(a\)\(1\)\(C\)](#). The Court will extend the appeal deadline in this case until August 9.

IT IS ORDERED:

1. The defendant's motion to extend the time for filing a direct appeal ([filing 171](#)) is granted.
2. The defendant may file a notice of appeal on or before August 9, 2021.

Dated this 23rd day of July, 2021.

BY THE COURT:



John M. Gerrard  
United States District Judge